

**State Water Resources Control Board  
November 16, 2010 Board Meeting  
Item 8 - Executive Director's Report**

**DIVISION OF FINANCIAL ASSISTANCE**

**Federal and State Funding Sources Meeting – October 21, 2010:** State Water Board staff met with representatives from 10 local agencies in Stanislaus County, to discuss various federal and state funding sources for the agencies' infrastructure and economic development projects. The meeting provided a forum for each agency to share their upcoming projects with the group of funding agencies, and hear about the various funding sources available from the federal and state agencies for the local projects. The local agencies ranged in size from smaller communities such as the Cities of Waterford and Riverbank to larger communities such as Cities of Modesto and Turlock. The meeting was organized by the California Association for Local Economic Development, with participation by various state and federal agencies including the California Department of Housing and Community Development, United States Department of Agriculture, California Infrastructure and Economic Development Bank, California Energy Commission, and US Economic Development Administration.

**Division Approvals:** The Deputy Director of the Division approved the following Preliminary Loan/Grant Commitments from September 8, 2010 to October 6, 2010.

**Water Recycling Grant/Loan**

<b>Entity</b>	<b>Preliminary Funding Commitment</b>	<b>Project</b>	<b>Approved</b>
Union SD	8,254,200	Primary Clarifier Rehabilitation Project	10/11/2010
Victor Valley	24,328,241	Phase IIIA Regulatory Upgrade Project	10/28/2010

**DIVISION OF WATER QUALITY**

**Aquatic Pesticides NPDES Permit: Aquatic Animal Invasive Species Control Permit:**

On November 2, 2010, the State Water Board held a Public Hearing on the draft Aquatic Pesticides NPDES Permit for aquatic animal invasive species. The draft permit has been prepared in response to the *National Cotton Council of America v. U.S. Environmental Protection Agency* decision by the Sixth Circuit Court of Appeals, which requires that pesticide applications at, near, or over water be covered by an NPDES permit if it will result in a discharge of residual pesticides to surface waters. Comments on the draft permit are due by 12:00 noon on November 16, 2010.

**Aquatic Pesticides NPDES Permit: Vector Control:** On November 2, 2010, the State Water Board held a Public Hearing on the draft Aquatic Pesticides NPDES Permit for vector control. This draft permit would replace the current permit for larvicides (State Water Board Order No. 2004-0008-DWQ) and would also cover adulticides. Comments on the draft permit were due by 12:00 noon on November 2, 2010.

**Spray Application NPDES Permit:** On November 2, 2010, the State Water Board held a Public Hearing on the draft Spray Applications NPDES Permit. The draft permit would provide full coverage to the California Department of Food and Agriculture (CDFA) and provide coverage to the United States Department of Forest Services (USFS) for specified biological controls only. The comment period for the draft permit was extended until 12:00 noon on December 16, 2010.

**Integrated Report [CWA Section 303(d) and Section 305(b)]:** On October 13, 2010, staff submitted to U.S. EPA the 2010 Integrated Report approved by the State Water Board on August 4, 2010, as well as supporting documents. The State Water Board's Integrated Report is posted on the State Water Board's website. It is U.S. EPA that issues the final California list of impaired water bodies (Clean Water Act 303[d] list).

**Once-through Cooling Policy:** The Adoption Hearing for draft limited revisions to the implementation provisions of this Policy is scheduled for the December 14, 2010 Board Meeting. The limited revisions are regarding compliance options for combined-cycle power generating units, and conditions applicable to power plants with compliance dates that are extended beyond 2020. The Notice states that the State Water Board will accept only those comment letters that are limited to the proposed revisions. The comment period closes at 12:00 noon on November 19, 2010.

**South Bay Power Plant NPDES Permit:** On October 20, 2010, staff received a letter from Dynegy South Bay LLC, operator of the South Bay Power Plant, requesting withdrawal of its application for renewal of the NPDES permit. According to Dynegy's letter, the California Independent System Operators, at its October 15, 2010 meeting, terminated the Reliability Must Run status of South Bay Power Plant's Units 1 and 2; thus, discharges from the South Bay Power Plant will terminate on December 31, 2010. On November 2, 2010, the State Water Board issued a Notice of Cancellation of the Public Hearing that had been scheduled for November 17, 2010, regarding the permit for this facility.

**Storm Water Caltrans Permit:** The statewide National Pollutant Discharge Elimination System (NPDES) permit for discharges by the California Department of Transportation of storm water from municipal separate storm sewer systems (MS4s) is targeted for reissuance. This permit is commonly referred to as the Caltrans Permit. The current Caltrans Permit (State Water Board Order No. 99-06-DWQ) was issued on July 15, 1999. The current permit regulates all storm water discharges from Caltrans-owned MS4s, maintenance facilities and construction activities. The revisions to the Caltrans permit are expected to follow many of the approaches in the Storm Water Construction General Permit (State Water Board Order No. 2009-0009-DWQ). Staff has been finalizing the incorporation of applicable Total Maximum Daily Loads (TMDLs) into the permit. Staff expects to release a draft in early 2011.

**Storm Water Construction General Permit:** The Adoption Hearing for limited revisions to the Construction General Permit provisions related to the Legally Responsible Person is scheduled for the November 16, 2010 Board Meeting. These limited revisions are intended to assist federal, state, and other agencies in obtaining coverage under the permit. The comment period closed at 12:00 noon on November 5, 2010.

**Storm Water MS4 Effectiveness Assessment Document:** On October 27, 2010, staff released a Notice of Staff Workshops and Opportunity for Public Comment on the draft Storm Water MS4 Effectiveness Assessment document. This document was prepared in response to Assembly Bill 739, Chapter 610, Statutes of 2010. The workshops are scheduled for November 4 in the Sierra Room of the Cal/EPA Building in Sacramento, and November 9 in the City Hall in Rancho Cucamonga. The comment deadline is 12:00 noon on November 30, 2010.

**Storm Water Industrial General Permit:** The statewide General National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water associated with industrial activities (commonly referred to as the Industrial General Permit or IGP) is targeted for reissuance. The current IGP is State Water Board Order 97-03-DWQ. In 2005, there was an effort to renew this permit, which resulted in a 2005 draft permit, public workshops, and public comments. At the time the State Water Board convened an expert panel to explore the role of numeric effluent limitations and benchmark values in all storm water permits. The panel's recommendations were incorporated into the Storm Water Construction General Permit (State Water Board Order No. 2009-0009-DWQ), adopted in 2009. The revisions to the IGP are expected to follow many of the approaches in the Storm Water Construction General Permit. Staff expects to release a draft in early 2011.

**Storm Water Phase II MS4 Permit:** The statewide National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water from small municipal separate storm sewer systems (MS4s) (commonly referred to as the Phase II Permit) is targeted for reissuance. The current Phase II MS4 Permit is State Water Board Order No. 2003-0005-DWQ. The permit includes regulatory requirements for smaller municipalities, including non-traditional small MS4s, which are governmental facilities such as military bases, public campuses, and prison and hospital complexes. The revisions to the Phase II permit are expected to follow many of the approaches in the Storm Water Construction General Permit (Order No. 2009-0009-DWQ). Staff expects to release a draft revised Phase II Permit in mid-2011.

**Toxicity Control Provisions for the SIP:** On October 20, 2010, the draft policy was released for public comment. A Board Workshop is scheduled for November 16, 2010. The written comment period closes on November 22, 2010. Staff anticipates proposing the policy to the Board for consideration of adoption in January 2011.

**Trash Policy:** State Water Board staff held a California Environmental Quality Act (CEQA) Scoping Meeting in Sacramento on October 7, 2010 and in Chino on October 14, 2010 on a proposed Water Quality Control Policy for Controlling Trash in Waters of the State. Comments on the Scope of the policy were due at 12:00 noon on November 3, 2010.

**Vessel No Discharge Zone Federal Regulations:** U.S. EPA issued a press release regarding its proposed rule to establish a No Discharge Zone covering all California coastal waters that will apply to cruise ships and to large ocean-going vessels with adequate sewage holding capacity. State Water Board Member Spivy-Weber attended the press event on August 25, 2010. U.S. EPA is taking this action in response to the State Water Board's application in 2006 for a No Discharge Zone off the entire California coast. The State Water

Board's application was in response to provisions of the California Clean Coast Act of 2005. U.S. EPA issued notice of the proposed rule on September 2, 2010, with comments due in 60 days. On October 14, 2010, State Water Board staff submitted a comment letter to U.S. EPA supporting the rule.

**Wetland and Riparian Area Protection Policy:** The Drafting Team continues to plan for CEQA scoping meetings / staff-level workshops; the workshops are to accommodate stakeholder requests to hold public workshops rather than have another round of focused stakeholder meetings. These meetings are to be held in early December in Sacramento and Southern California. In early November, staff plans to announce details of the CEQA scoping meetings / staff-level workshops.

**Statewide Policies/Significant General Permits:** Appendix 1 provides the current status of pending Statewide Policies and Significant General Permits.

**Irrigated Lands Regulatory Program Update Report:** The October 2010 report is attached as Appendix 3.

## **DIVISION OF WATER RIGHTS**

**San Joaquin River Restoration Program Workshop:** The State Water Board held a public workshop on November 15, 2010 to receive information relating to the San Joaquin River Restoration Program (SJRRP). The State Water Board provided opportunity to 1) the United States Bureau of Reclamation (Reclamation) and the San Joaquin River Group Authority to describe the historic and existing configuration and infrastructure of the San Joaquin River Watershed; the operation of Friant Dam, the San Joaquin River and major tributaries, and flood control system; and the South Delta Pumps; 2) the Natural Resources Defense Council (NRDC), the Friant Water Authority (formerly the Friant Water Users Authority), and Reclamation to discuss the SJRRP settlement agreement; 3) the National Marine Fisheries Service (NMFS) to discuss fishery issues related to the agreement; and 4) persons who use water from the San Joaquin River or the Delta to discuss the SJRRP as it relates to their operations. Other interested persons were provided an opportunity to provide comments.

**Mono Lake Basin Activities Update:** On October 12, 2010, the State Water Board held a workshop in the Mono Lake basin to receive information regarding the July 28, 2010 Mono Lake Feasibility Report submitted by the Los Angeles Department of Water and Power (LADWP). The Feasibility Report responds to the issue of whether new operating protocols developed in the *Synthesis of Instream Flow Recommendations to the State Water Resources Control Board and the Los Angeles Department of Water and Power* (Synthesis Report) should be implemented. The Synthesis Report was prepared pursuant to WR Order 98-05, which directs the Mono Lake stream monitoring team to evaluate and make recommendations on the results of the monitoring and restoration program required by the State Water Board.

On November 1, 2010, the Division of Water Rights approved requests from LADWP and Cal Trout to resolve differences of opinion regarding the feasibility of measures recommended in the Synthesis Report through a facilitator-led process. The approved facilitation process is estimated to take 12 months, beginning in early 2011.

**North Coast Instream Flow Policy (AB 2121):** Water Code Section 1259.4 requires the State Water Board to adopt principles and guidelines for maintaining instream flows in coastal streams from the Mattole River to San Francisco and in coastal streams entering northern San Pablo Bay, as part of state policy for water quality control for the purposes of water right administration. The State Water Board adopted the AB 2121 Policy on May 4, 2010, and the Office of Administrative Law approved it on September 22, 2010. The State Water Board filed the Policy Notice of Decision with the Secretary for Resources on September 28, 2010. As a result, the policy is now operative.

On October 26, 2010, the State Water Board received written notice from Lippe, Gaffney, Wagner, LLP of their intent to file a lawsuit on or before October 28, 2010, on behalf of Living Rivers Council, challenging the State Water Board's approval of the Policy and Substitute Environmental Document. The grounds for the lawsuit include, but are not limited to, their claim that the Substitute Environmental document fails to identify or discuss mitigation measures to substantially reduce significant environmental effects of the policy. As of November 1, 2010, the State Water Board has not yet received a copy of the complaint.

**Coho Recovery Team:** The Coho Recovery Team (CRT) consists of 21 members representing county, State, and Federal governments, native tribes, commercial and recreational fishing, forestry, agriculture, ranching, water management, and environmental interests. The CRT first met and commenced its work in December 2002. Since the Coho Recovery Strategy was published in 2004, the CRT has met annually to discuss Coho recovery activities during the current year and plans for coming year. The 2010 meeting was held November 2 and 3 in Redding, California. Division staff presented brief updates on the following actions/projects which are within the scope of the 2004 Coho Recovery Strategy: 1) North Coast Instream Flow Policy 2) Russian River Frost Protection 3) Modifications to Russian River Instream Flow Requirements (Decision 1610) and 4) Statements of Water Diversion and Use.

**Water Right Frost Protection Regulations:** The State Water Resources Control Board (State Water Board) held three workshops to receive information regarding the need for and the effect of frost protection diversions in the Russian River watershed in Mendocino and Sonoma counties. The workshops were held in response to a letter from the National Marine Fishery Service expressing concern over the threat to federally threatened and endangered salmonids from frost protection diversions in the Russian River watershed. At a January 2010 workshop, the Board instructed staff to pursue regulations through the formal rulemaking process. Consistent with this process, the State Water Board must comply with the California Environmental Quality Act by preparing an Environmental Impact Report (EIR). Staff provided a public Notice of Preparation of an Environmental Impact Report and Notice of Public Scoping Meeting to the public on October 27, 2010. The State Water Board will hold its public scoping meeting in Santa Rosa on November 17, 2010.

**2010-11 Water Right Fee Billing:** The State Water Board adopted emergency water right fee regulations on October 19, 2010, for the 2010-11 fiscal year. The annual fee schedule includes an increase in fees for the Federal Energy Regulator Commission (FERC) 401 Water Quality Certification program. The Board of Equalization is scheduled to produce and mail invoices on December 3, 2010. The billing will include approximately \$7.039 million in annual fees for water right application, permit, and license holders, including federal water contractors and \$2.187 million in FERC program fees.

**Draft Technical Report on the Scientific Basis for Alternative San Joaquin River Flow and Southern Delta Salinity Objectives:**

On October 29, 2010, the State Water Resources Control Board (State Water Board) noticed a workshop and released a draft Technical Report on the scientific basis for alternative San Joaquin River flow and southern Delta salinity objectives (Draft Technical Report). The purpose of the January 6 and 7, 2010 workshop is to receive comments and other technical information related to the draft Technical Report. The information and tools described in the draft Technical Report are intended to provide the State Water Board with the scientific information and tools needed to consider potential changes to the San Joaquin River flow and southern Delta salinity objectives included in the 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (2006 Bay-Delta Plan), and a program of implementation to achieve these objectives. This workshop is being held to determine whether: 1) this information and these tools are sufficient to inform the State Water Board's decision-making to establish San Joaquin River flow and southern Delta salinity objectives and a program of implementation to achieve these objectives; and 2) the State Water Board should consider additional information or tools to evaluate and establish San Joaquin River flow and southern Delta salinity objectives, and a program of implementation to achieve these objectives. Through this process, the State Water Board will develop the tools it will then use to prepare the Substitute Environmental Document (SED) and any revisions to the objectives. The report and other information are available at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/bay\\_delta\\_plan/water\\_quality\\_control\\_planning/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/water_quality_control_planning/)

**Delta Water Transfers:** On August 18, 2010, the Department of Water Resources and United States Bureau of Reclamation filed with the State Water Resources Control Board (State Water Board) Petitions for Temporary Change under Water Code section 1725 to temporarily consolidate the places of use of the State Water Project and federal Central Valley Project south of the Sacramento and San Joaquin Delta. These changes are intended to facilitate three specific transfers and exchanges involving up to 220,000 acre-feet of water. The petitions request the changes be effective from October 1, 2010 through September 30, 2011. The petition states that while the total quantity of water pumped by the CVP/SWP from the Delta during this period will not change as a result of these transfers/exchanges, a slightly different ratio of CVP to SWP pumping may occur in 2011. An order is anticipated to be issued. The petitions and any order issued for these petitions will be posted at: [www.waterboards.ca.gov/waterrights/water\\_issues/programs/applications/transfers\\_tu\\_notices/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/transfers_tu_notices/)

## OFFICE OF ENFORCEMENT

**Government-Owned Tanks (GOT) Enforcement Initiative:** OE has received information regarding the current operations of government owned/operated underground storage tank (UST) facilities in 79 different CUPA (certified unified program agency) jurisdictions. This leaves approximately 16 CUPAs who have yet to respond to our request for information. OE staff is in the process of contacting the remaining CUPAs who have not responded to facilitate the acquisition of the needed information.

By the end of October, the OE staff performed 145 file reviews at 18 of the CUPAs who had submitted their information. Actual inspections of the facilities commenced the second week of July and so far 41 inspections in five of the CUPAs have taken place.

**State Board Mandatory Minimum Penalty Enforcement Team:** This section is an update on the status of the 50 cases from Region 4 which have alleged violations subject to mandatory

minimum penalties (MMPs). The personnel with State Water Board (SB Team) are handling these violations under the direction of the Office of Enforcement.

At this time, seven cases have been dismissed completely after review by state board staff addressing 140 alleged violations. An additional 19 have agreed to pay proposed liability totaling \$396,000 in MMPs. An additional two have been placed on hold because the responsible entity is in bankruptcy. One case (involving 46 violations) is part of a global settlement being negotiated by Region 4 enforcement staff. Lastly, one case will be addressed with discretionary penalties.

The SB Team is scheduling State Water Board hearing panels to address the unresolved violations in the remaining 21 cases. In addition to the 19 cases where the dischargers have agreed to pay the proposed liability, it is the SB Team's intent to file ACL complaints (ACLs), ACL settlements or otherwise resolve the targeted MMP violations with as many of the 21 facilities as possible by December 31, 2010. However, as dischargers present additional evidence for consideration or the impacts of SB 1284 are evaluated, some cases may be delayed for ACL complaint issuance.

As reported last month, OE had issued 14 ACL complaints for hearings in November 2010. On September 9, 2010, OE issued an additional three ACL complaints for a hearing on December 8, 2010. Any remaining cases that are not resolved or addressed prior to December 31, 2010 will be scheduled for hearings in spring of 2011.

In summary, of the 17 ACL complaints initially scheduled for hearing, seven have settled resulting in \$186,000 in liabilities. Seven have been continued for settlement discussions and three are proceeding to hearing on November 18, 2010.

## **OFFICE OF INFORMATION MANAGEMENT AND ANALYSIS**

**SWAMP Releases Summary of 10 years of Toxicity Test Results:** On November 12, the Surface Water Ambient Monitoring Program (SWAMP) released a report summarizing 10 years of toxicity test results in California watersheds and coastal waters using data from SWAMP and partner programs. The report describes where toxicity has been observed in California waters and sediment; assesses the magnitude of the observed toxicity; compares the results among waters draining urban, agricultural, and other land uses; summarizes studies identifying the chemicals implicated as the cause of toxicity and the ecological implications; and compares results using U.S. EPA's new statistical methods for assessing toxicity.

Toxicity was observed in every region of the state. Approximately half of all locations assessed (922 sites) had at least one sample in which toxicity was measured in either water or sediment and 13% of the sites were classified as high toxicity sites (i.e., frequent and on average high magnitude toxicity was observed). Sites draining urban and agricultural areas had significantly higher toxicity than sites in less developed areas. A review of studies conducted in California identified ammonia and pesticides as the primary cause of toxicity observed; although these findings cannot necessarily be extrapolated to all of the sites assessed in this report.

Finally, U.S. EPA recently released new statistical methods for assessing toxicity, which can be used for assessing toxicity in both effluent and receiving water (or ambient) samples. State Water Board staff is proposing, for Board consideration, a new Policy for Toxicity Assessment and Control that establishes new numeric toxicity objectives based on the U.S. EPA's new methods. Staff used SWAMP toxicity data to compare the results of the traditional and new statistical methods and found that the methods agree 92% of the time.

This initial report is a cursory evaluation of the available data. It is available on the [SWAMP website](#). SWAMP will release a more detailed interpretive report in early 2011.

**SWAMP's Clean Water Team and IBM Launch New Creek Watch iPhone Application:**

Creek Watch is an application that enables people to help monitor the health of their local watershed. Whenever passing by a waterway they can spend a few seconds using the Creek Watch application to snap a picture and report how much water and trash is seen. Creek Watch aggregates the data and shares it to help watershed groups and agencies track pollution and manage water resources. A map on the [Creek Watch Website](#) displays data that's already been contributed. Data is also accessible in table form. The application is now available in the [iTunes App Store](#).

SWAMP's Clean Water Team is a well recognized leader in the volunteer monitoring community and was invited to help IBM-Almaden Research Lab create a smart phone application that would benefit water quality and citizen monitoring. The application was designed to be extremely user friendly while still providing information useful for watershed stewardship. It was even beta tested by a local citizen monitoring program lead by the City of San Jose's Watershed Protection program. Hopefully the Creek Watch App will provide an easy entry tool that helps get people involved with, and learning about, their watersheds. Expanding water quality education and supporting citizen monitoring through new technology is an excellent way to promote watershed stewardship.

**OFFICE OF RESEARCH, PLANNING AND PERFORMANCE**

**Water Board Training Academy:**

<p><b>Recent Classes</b></p>	<p><b>Wetland and Riparian Area Protection Policy Phase 1 Implementation - Identifying Potential Obstacles and Solutions.</b> The State Water Resources Control Board is developing statewide policy to protect all waters of the state, including wetlands, from impacts of discharges of dredged or fill material in the State of California. The statewide policy will provide a consistent framework for permit writers. This workshop was conducted to solicit constructive advice on how best to implement the policy statewide through the Regional Boards.</p>
<p><b>Upcoming Classes</b></p>	<p><b>The 2010 (Seventeenth Annual) California Aquatic Bioassessment Workgroup meeting will be held on the UC Davis Campus November 16 and 17.</b> The California Aquatic Bioassessment Workgroup was formed in 1994 as a vehicle to promote the development and use of biological indicators in water quality monitoring. Throughout the years, this annual meeting has brought together up to 200 people to hear presentations from many State and national scientists and water quality regulators. The meeting also provides the attendee an opportunity to discuss current issues with other water quality professionals and attend workshops dealing with bioassessment monitoring techniques, data analysis procedures and how to use bioassessment in water quality regulation.</p>

## Appendix 1

# Statewide Policies/Significant General Permits

<b>Division of Water Quality</b>		
<b>Status Code</b>	<b>Policy/Significant General Permit</b>	<b>Status</b>
A*	Anti-Degradation Policy / Implementation Triennial Review	Scoping meeting held on 11/17/08. Reviewing the 30+ comment letters received. Preparing recommendation for the Board. Work delayed by petitions.
A-11	Aquatic Pesticide General Permit – Aquatic Animal Invasive Species	Public Hearing held on November 2, 2010. Board consideration targeted for December 2010.
A-11*	Aquatic Pesticide General Permit – Vector Control, (Adulticide/Larvicide)	Public Hearing held on October 19, 2010. Board consideration targeted for January 2011.
A-11	Aquatic Pesticide General Permit – Weed Control, Aquatic Application	Expect to release formal draft in February 2011, Public Hearing targeted for March 2011 and Board consideration targeted for May 2011.
P	Aquifer Storage and Recovery Policy	Delayed due to other priorities.
A-11	Areas of Special Biological Significance (ASBS): Special Protections	Targeting Public Hearing in January 2010 and Board consideration in March 2011.
A-11	Bacterial Objectives for Inland Surface Waters	Staff preparing draft policy and staff report. Economic study delayed due to contract funding issues. Adoption Hearing targeted for February 2011.
A	Bio-indicator Development	Stakeholder Advisory Group formed on March 10, 2010. Scientific Advisory Group meeting on October 20-21 to review technical workplan and provide recommendations. Working on forming the Regulatory Advisory Group.
A-11	Cadmium Objective and Implementation Policy	Final internal review of draft policy and staff report prior to upcoming release for public comment. Targeting Public Hearing in March 2011 and Board consideration in June 2011.

## Division of Water Quality

Status Code	Policy/Significant General Permit	Status
A-10	Constituents of Emerging Concern (CEC) Monitoring – Recycled Water Policy	Final report released June 25, 2010. Targeting Public Hearing on staff recommendations in December 2010.
A-11	Chlorine Residual Objectives and Implementation Policy	Scientific Peer review received. Report and policy will be revised as necessary to address peer review comments. Adoption hearing targeted for June 2011.
A	Composting Facilities Statewide Waiver	Continuing to meet with CalRecycle and Regional Boards on preparing draft statewide waiver.
P	Grazing	No Statewide effort at this time, Regions are issuing watershed based waivers. Grazing on national forest system lands will be considered under Statewide Water Quality Management Plan and waiver.
A-10	Leaking Underground Fuel Tank (LUFT) Manual	Final draft manual circulating for comments.
A-11	Listing Policy Update (Sediment Quality Objectives)	CEQA Scoping Meeting held on March 29, 2010. Comment period closed April 12, 2010. Targeting Public Hearing / Board consideration in February 2011.
A	Marina Permit	Permit is postponed while working with other agencies and Marina and Boating groups to develop interim approaches.
P	Mercury Offset Policy	Partial economic analysis received from contractor (SAIC). No further contract funding available to complete economic analysis.
P	Methylmercury Objectives	Delayed by loss of key staff. Preparing economic analysis (SAIC).
A	Nutrient Numeric Endpoints Tools	Freshwater: to be peer reviewed. Contract with SCCWRP to develop estuary nutrient framework and numeric endpoints underway. Technical, stakeholder, and regulatory (Water Boards and U.S. EPA) advisory groups have been formed.
A-11*	Ocean Plan Amendment: model monitoring provisions	Drafting delayed by Once-Through Cooling 316(b) Policy Revisions Consideration. Public Hearing targeted for March 2011 and Board consideration targeted for May 2011.
A	Ocean Plan Amendment: desal provisions	Public Hearing targeted for May 2011.
P	Ocean Plan Amendment: vessel provisions	Pending completion of other Ocean Plan Amendments.

## Division of Water Quality

Status Code	Policy/Significant General Permit	Status
A-10	Ocean Plan Triennial Review	Public workshop held September 22, 2010. Adoption Hearing targeted for February 2011.
A	Off-Highway Vehicle (OHV) WDRs/Waiver	Developing concepts for WDRs/waiver for OHVs at State Parks.
A-10*	Once-Through Cooling (316b) Policy Limited Revisions	Notice of Public Hearing issued on September 27, 2010. Comment <u>letters</u> strictly limited to proposed revisions of policy. Comments due at 12:00 noon on November 19, 2010. Adoption Hearing scheduled for December 14, 2010.
A-11*	Onsite Waste Water Treatment Regulations/Waiver	Drafting new approach. Planning further public hearings on a new draft proposal in Fall 2010.
A	Rapid Diagnostic Tests for Bacterial Indicators in Coastal Waters	Pilot testing on 9 Orange County beaches completed. Evaluation meeting held by Rapid Methods Task Force on September 27, 2010. Task Force preparing final recommendation to present to SCCWRP Commission at December 3, 2010 meeting.
A-11	Sanitary Sewer System (SSS) WDR Update	Information Item presented to Board on September 21, 2010. Targeting Public Hearing / Board workshop in December, 2010 and Board consideration in February 2011.
A	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase II	Phase II staff draft released. Scientific Steering Committee convened in July 2009. CEQA Scoping Meeting held on May 19, 2010. Public Hearing targeted for February 2011.
P	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase III	Pending completion of Phase II and availability of funding
A-10*	Spray Applications Permit (CDFR and USFS Eradication Programs)	Public Hearing held on November 2, 2010. Comment period extended until December 16, 2010, with Board consideration targeted for January 2011.
A-11*	Storm Water CalTrans Permit	Revising to incorporate similar provisions to Construction General Permit and to incorporate TMDLs. Planned release in early 2011 and Board consideration in late 2011.
A-10	Storm Water Construction General Permit Limited Revisions	Notice of Adoption Hearing issued on September 29, 2010. Revisions limited to Legally Responsible Person provisions. Adoption Hearing scheduled for November 16, 2010.

## Division of Water Quality

Status Code	Policy/Significant General Permit	Status
A-11*	Storm Water Industrial General Permit	Revising to incorporate similar provisions to Construction General Permit and to incorporate TMDLs. Planned release in early 2011 and Board consideration in late 2011.
A-11	Storm Water MS4 Effectiveness Assessment Document (AB 739, Ch. 610, Statutes of 2007)	On October 27, 2010, issued revised Notice of Staff Workshops and Opportunity for Public Comment on draft document. Workshops scheduled for November 4 in Sacramento and November 9 in Rancho Cucamonga. Comments due 12:00 noon on November 30, 2010. Targeting Board consideration in January 2011.
A-11*	Storm Water MS4 Phase II Permit	Revising to incorporate similar provisions to Construction General Permit and to incorporate TMDLs. Planned release in mid-2011 with consideration in early 2012.
P	Suction Dredge General Permit	On hold, and working instead with Dept of Fish and Game to coordinate with their suction dredge regulation and permit revision.
A-10*	Timber Activities on National Forest System Lands	Drafting Statewide Waiver for USFS, based on Region 1 waiver. Public hearing and adoption in January 2011.
P	Timber Activities on Non-federal Lands	Work with California Board of Forestry, Department of Forestry and Fire Protection, and Regional Water Boards. Work delayed pending the outcome of a petition.
A-10*	Toxicity Control Provisions for the SIP	On October 20, 2010, issued Notice of Workshop and Public Comment on draft policy. Workshop scheduled for November 16, 2010 Board Meeting. Comments due by 12:00 noon on November 22, 2010. Targeting Adoption Hearing in January 2011.
A-11*	Trash Policy	CEQA Scoping Meetings held on October 7 in Rancho Cordova and October 14 in Chino. Targeting Board Workshop in February 2011 and Adoption Hearing in June 2011.
A-10	UST Low-Threat Case Closure Policy	Targeting Board consideration for 2011.

Division of Water Quality		
Status Code	Policy/Significant General Permit	Status
A-11	Wetlands and Riparian Areas (Dredge and Fill) Policy – Phase I	Scientific peer review conducted for the California Rapid Assessment Methodology (CRAM) for wetland condition determination and will be conducted for the Technical Advisory Team's (TAT's) wetland definition. Targeting Public Hearing in March 2011.
P	Wetlands and Riparian Areas Policy – Phase II	Pending completion of Phase I.
P	Wetlands and Riparian Areas Policy – Phase III	Pending completion of Phase II.

**Note: \* indicates Board Priority**

**Status Code Key:**

- White = Active effort (A)
- Yellow = Targeted for completion in 2010 (A-10)
- Green = Targeted for completion in 2011 (A-11)
- Blue = Completed (C)
- Grey = Suspended or No statewide effort at this time or Pending (P)

## Policies/General Permits Completed in 2010

C	Integrated Report Adoption (2010)	Board approved 303(d) list on August 4, 2010. Transmitted to U.S. EPA on October 13, 2010, and awaiting their approval.
C*	Once-Through Cooling (316b) Policy	Approved by Office of Administrative Law (OAL) on September 27, 2010. Effective date October 1, 2010.
C	South Bay Power Plant	Notice of Cancellation of Public Hearing issued on November 2, 2010 due to permit application withdrawal.
C	UST Regulatory Program Task Force	Final task force recommendations submitted to the Board in January 2010. DWQ staff updated the Board at the May 18 Board meeting in conjunction with DFA staff report on the UST Cleanup Fund.

## Policies/General Permits Completed in 2009

Status Code	Policy/Significant General Permit	Status
C	Biodiesel Regulations	Board approved regulations on November 17. OAL has approved, and the effective date of the regulations was March 4, 2010.
C	Landscape Irrigation / Incidental Runoff Permit	Permit adopted by Board on 7/7/09. Preparing memo to Regional Boards regarding implementation.
C	Recycled Water Policy	Complete. Approved by OAL on 5/14/09. Sent memo to Regional Boards regarding implementation.
C	Ocean Plan Amendment: non-substantive	Board adopted on 9/15/09. Approved by OAL on 3/10/10.
C	Storm Water Construction Permit	Board adopted permit at its 9/2/09 Board Meeting.
C	Storm Water Linear Permit	Linear permit included in Construction Storm Water permit. Board adopted permit at its 9/2/09 Board Meeting.
C	Vessel General Permit – Revised Certification	Revised 401 Certification in February 2009 to reflect U.S. EPA's final permit and make clarifying edits.

## Policies/General Permits Completed in 2008

Status Code	Policy/Significant General Permit	Status
C	Blue-Green Algae Guidance	Revisions completed in September 2008 and posted on website.
C	Compliance Schedule Policy	Board approved on 4/15/08, effective on 12/17/08.
C	Sediment Quality Objectives (SQOs) for Enclosed Bays and Estuaries: Phase I	Phase I completed, adopted by State Board September 2008, approved by OAL on January 5, 2009. Approved by U.S. EPA on August 25, 2009.
C	Vessel General Permit – Certification	Issued 401 certification with state conditions on 12/17/08. Completed.

<b>Division of Water Rights</b>		
<b>Status Code</b>	<b>Policy/Significant General Permit</b>	<b>Status</b>
(A)	Draft WQCP update for San Joaquin River flows and southern Delta salinity objectives	Draft SED science chapter and notice of January 6, 7 2011 public workshop was released October 29, 2010. Draft plan amendment to be brought to the Board for a December 2011 hearing.
(C)	Delta outflow recommendations (SBX7 1)	The Board adopted the final report on August 3, 2010, and provided it to the Delta Stewardship Council on August 25, 2010.
(C)	Instream Flow Policy (AB 2121)	The Board adopted the Policy on May 4, 2010. The Division delivered the administrative record to OAL on August 11, 2010. OAL approved the administrative record in September, 2010. The Division filed a Notice of Decision with the Secretary for Resources on September 28, 2010. The policy is now effective.

**Status Code Key:**

White = Active effort (A)

Yellow = Targeted for completion in 2010 (A-10)

Blue = Completed (C)

Grey = Suspended or No statewide effort at this time or Pending (P)

<b>Office of Enforcement</b>		
<b>Status Code</b>	<b>Policy/Significant General Permit*</b>	<b>Status</b>
C	Policy on Supplemental Environmental Projects	Approved by Board and OAL.
C	Revised Water Quality Enforcement Policy	Approved by Board on November 17, 2009

**Status Code Key:**

White = Active effort (A)

Yellow = Targeted for completion in 2010 (A-10)

Blue = Completed (C)

Grey = Suspended or No statewide effort at this time or Pending (P)

<b>Division of Financial Assistance</b>		
<b>Status Code</b>	<b>Policy/Significant General Permit</b>	<b>Status</b>
A	Clean Water State Revolving Fund Regulations	Under development. Process has slowed considerably to accommodate getting the ARRA stimulus funds out to projects. Currently project 2010/2011
C	Orphan Site Cleanup Fund (OSCF) Proposed Rulemaking Package	Office of Administrative Law approved the OSCF regulations on September 15, 2009.
A	Wastewater Treatment Plant Classification, Operator Certification, and Contract Operator Registration Regulations	Regulations are being drafted to include fiscal considerations and provisional operator. Anticipate being released for public review in Spring 2011.

**Status Code Key:**

Targeted for completion in 2010

Completed Items

Suspended / No statewide effort at this time

## Appendix 2

# IRRIGATED LANDS REGULATORY PROGRAM MONTHLY REPORT

This month's Irrigated Agricultural Lands Regulatory Program (ILRP) report covers the September through October 2010 period and will provide an update on the activities of the North Coast, Central Coast, Los Angeles, Colorado River Basin, Santa Ana, and San Diego Regional Water Quality Control Board programs.

Future monthly reports will alternate between the status of the ILRP from the Central Valley Water Board for one month, and the status of other Regional Water Boards for the alternate month. Current and past ILRP monthly reports can be found on the State Water Boards Irrigated Agricultural Waiver Program website:

[http://www.waterboards.ca.gov/water\\_issues/programs/agriculture/](http://www.waterboards.ca.gov/water_issues/programs/agriculture/)

**For additional information** on the statewide ILRP, please contact State Water Resources Control Board staff:

Johnny Gonzales	(916) 341-5510	<a href="mailto:jgonzales@waterboards.ca.gov">jgonzales@waterboards.ca.gov</a>
Gita Kapahi	(916) 341-5501	<a href="mailto:gkapahi@waterboards.ca.gov">gkapahi@waterboards.ca.gov</a>

ILRP contact information for each Regional Board is found at the end of each report below.

### **NORTH COAST REGION AGRICULTURAL REGULATORY PROGRAM Update to SWRCB – October 2010**

#### **Klamath River Basin Compliance Program and Regionwide Scoping:**

Regional Board staff are in the process of developing a water quality compliance program for grazing and irrigated agriculture in the Klamath Basin, pursuant to the Klamath River TMDL Action Plan. Staff are currently implementing the tasks outlined in a workplan that was presented to the Regional Board in June 2010. The first tasks include developing a stakeholder involvement plan for the Klamath Basin and conducting regionwide scoping meetings by spring 2011. The scoping meetings will serve the dual purpose of scoping for the Klamath Basin program as well as scoping for future agricultural programs regionwide. Subsequently, staff will form advisory group(s) and meet with those group(s) to develop the compliance program. The Regional Board will use TMDL program contract funds to engage a consultant to both facilitate the stakeholder and advisory group meetings and to advise Regional Board staff throughout the compliance program development process. Staff are currently in the process of developing this contract. Staff intend to bring a grazing and irrigated agriculture water quality compliance program for the Klamath Basin for Regional Board consideration by December 2012.

For additional information on the North Coast Regional Board's water quality compliance program for grazing and irrigated agriculture please see the following website or contact Ben Zabinsky at [BZabinsky@waterboards.ca.gov](mailto:BZabinsky@waterboards.ca.gov) or (707) 576-6750:

[http://www.waterboards.ca.gov/northcoast/water\\_issues/programs/grazing\\_and\\_irrigated\\_agriculture/](http://www.waterboards.ca.gov/northcoast/water_issues/programs/grazing_and_irrigated_agriculture/)

## **CENTRAL COAST REGION AGRICULTURAL REGULATORY PROGRAM Update – October 2010**

### **Agricultural Order Renewal**

On July 8, 2010, the Central Coast Water Board extended the existing Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Irrigated Ag Order R3-2010-0040) through March 31, 2011 to ensure that farming operations are protecting and restoring water quality through the effective implementation of appropriate management measures. By law, all waivers must be reviewed, and renewed, revised, or replaced at least every five years. Central Coast Water Board staff plans to release a revised draft Agricultural Order in November 2010 and will bring a new draft Agricultural Order to the Board by March 2011. Related to the renewal of the Agricultural Order, the Central Coast Water Board held a CEQA scoping meeting on August 16, 2010 to discuss the regulation of waste discharges from irrigated lands within the Central Coast Region.

The process of renewing the Agricultural Order started in December 2008. Since that time, Central Coast Water Board staff has met with stakeholders and received numerous comment letters regarding the Agricultural Order. Stakeholders continue to have the opportunity to provide input to the draft Agricultural Order and staff will discuss consideration of any input provided in the staff report accompanying the draft Agricultural Order. A formal public comment period will follow the planned November 2010 release of the draft Agricultural Order and additional public input can be submitted at that time. In considering input to requirements, staff continues to encourage stakeholders to consider necessary actions to resolve water quality impairments, points of compliance, milestones to measure progress, compliance monitoring and reporting, and time schedules to compliance.

Information about the renewal of the Agricultural Order, including public comments received and a link to the electronic interested parties mailing list, can be found on the Central Coast Water Board's Internet site at:

[http://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/ag\\_waivers/ag\\_order.shtml](http://www.waterboards.ca.gov/centralcoast/water_issues/programs/ag_waivers/ag_order.shtml)

**For additional information** on the Central Coast Conditional Waiver for Irrigated Lands, please contact Angela Schroeter at (805-542- 4644) [ASchroeter@waterboards.ca.gov](mailto:ASchroeter@waterboards.ca.gov)

**LOS ANGELES REGION CONDITIONAL WAIVER FOR IRRIGATED LANDS  
UPDATE TO THE SWRCB  
Irrigated Agriculture Program Update staff report dated October 29, 2010**

**Conditional Waiver Renewal**

On October 7, 2010 the Los Angeles Regional Board adopted an Order renewing the Los Angeles Region Conditional Waiver for Irrigated Lands (Order No. R4-2010-0186). The conditions established in the Order ensure that discharges from irrigated agriculture lands are managed such that they do not exceed water quality benchmarks. Water quality benchmarks are defined as Basin Plan requirements (including discharge prohibitions and water quality objectives), Statewide plan or policy requirements, U.S. EPA criteria (including those in the California Toxics Rule and the applicable portions of the National Toxics Rule), and load allocations established pursuant to a TMDL. The Order establishes a regulatory program for irrigated agriculture lands that requires dischargers to quantitatively assess in-stream water quality conditions and attain water quality benchmarks through the implementation of targeted best management practices. The renewed Conditional Waiver for Irrigated Lands builds on the accomplishments and progress of the original waiver program established in November 2005. The primary requirements of the renewed Conditional Waiver for Irrigated Lands program are presented below.

- Submit a Notice of Intent (NOI). The NOI is required for enrollment under the Conditional Waiver and contains information regarding site conditions and the agricultural operation.
- Submit a Monitoring and Reporting Plan (MRP).
- Conduct wet- and dry-weather monitoring.
- Submit a Water Quality Management Plan (WQMP), if water quality benchmarks are exceeded. The WQMP identifies BMPs to address water quality benchmark exceedances and presents a schedule for implementation activities.
- Implement BMPs in accordance with an approved WQMP.
- Submit required monitoring reports.

The Conditional Waiver also implements eleven TMDLs. Each TMDL included in the Conditional Waiver identified irrigated agriculture as a source and assigned agriculture dischargers a load allocation. The Conditional Waiver is the regulatory program to implement and attain the load allocations for these TMDLs. The TMDL load allocations were directly incorporated into the Conditional Waiver as water quality benchmarks.

During the development and renewal of the Conditional Waiver, Regional Board staff worked with stakeholders, including the two established irrigated agriculture discharger groups, the Ventura County Agricultural Irrigated Lands Group (VCAILG) and the Nursery Growers Association - Los Angeles County Irrigated Lands Group (NGA-LAILG), as well as local environmental organizations. Staff met individually with stakeholders to address specific questions and comments.

## **Grant Management**

Additionally, staff continues to manage a Clean Water Act section 319(h) grant for grower education and outreach in the Calleguas Creek and Santa Clara River Watersheds. Staff is working with the grantee to ensure that the grant effectively implements the renewed Los Angeles Region Conditional Waiver for Irrigated Lands, and specifically implements BMPs according to VCAILG's WQMP.

**For additional information** on the Los Angeles Region Conditional Waiver for Irrigated Lands, please contact Rebecca Veiga Nascimento at (213) 576-6784 [rveiga@waterboards.ca.gov](mailto:rveiga@waterboards.ca.gov) or Jenny Newman at (213) 576-6691 [jnewman@waterboards.ca.gov](mailto:jnewman@waterboards.ca.gov)

## **COLORADO RIVER BASIN CONDITIONAL PROHIBITION FOR AGRICULTURAL DISCHARGES**

### **Irrigated Agriculture Program Update from a October 28, 2010 staff report**

#### **Coachella Valley (CV) Agricultural Prohibition:**

The Technical Advisory Committee for the CV Agricultural Prohibition has agreed on draft recommendations for Best Management Practices, sampling locations, and parameters for the CV Stormwater Channel and drains.

#### **Palo Verde (PV) Agricultural Prohibition:**

The PV Agricultural Prohibition went before the Regional Board for consideration of adoption on September 16th. The hearing was continued until January 20, 2011, pending the outcome of a workshop scheduled on November 16, 2010 at the PV Irrigation District Headquarters (180 West 14th Street, Blythe, CA). Documents for the PV Agricultural Discharge Prohibition can be obtained from the RB 7 website at: [http://www.waterboards.ca.gov/coloradoriver/water\\_issues/programs/basin\\_planning/](http://www.waterboards.ca.gov/coloradoriver/water_issues/programs/basin_planning/)

#### **Imperial Valley Sediment TMDL Implementation:**

The Imperial County Farm Bureau's CWA 319(h) grant funding terminated in September 2010 after many successful years of operation. The ICFB submitted a concept proposal in the 2011 319(h) grant competition, which is being reviewed by Water Board staff. The ICFB is also investigating alternative funding mechanisms to continue the Voluntary TMDL Compliance Program.

The Imperial Irrigation District submitted to the Regional Board in September its Vegetation Management Plan for the approximately 1,400 miles of agricultural drains that flow to the Salton Sea as requested by Regional Board staff. The Plan is under review. The IID also began work in July on the Agricultural Water Quality Grant Program, Prop 50/84 funded (\$900,000) project titled: Precision Drain Cleaning BMP Plan.

**For additional information** on the Colorado River Basin Conditional Prohibition for agricultural discharges, please contact Doug Wylie at (760) 346-6585 [dwyllie@waterboards.ca.gov](mailto:dwyllie@waterboards.ca.gov)

**SANTA ANA REGION  
CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR  
AGRICULTURAL  
DISCHARGES (CWAD PROGRAM)**

**An update to the SWRCB-ILRP Coordinator  
October 29, 2010**

Regional Board staff is proposing that all operators of irrigated land, dry-farmed land subject to inundation by flooding, and of other agricultural operations not already regulated by the Regional Board, enroll in a conditional waiver of waste discharge requirements. Board staff is calling this the Conditional Waiver (of waste discharge requirements) for Agricultural Discharges (CWAD). Staff proposes that the CWAD program will be developed and implemented in a phase-in watershed- based approach. The first phase of this program is being developed for waste discharges from agricultural operations (irrigated and non-irrigated) in the Lake Elsinore / San Jacinto Watershed. The Regional Board adopted separate nutrient Total Maximum Daily Loads (TMDLs) for Canyon Lake and Lake Elsinore, and. The TMDLs are now part of the Basin Plan the CWAD program is being designed to be part of implementation program for these TMDLs.

In order to formulate a strategy to develop a CWAD program, Regional Board staff has been conducting meetings with key stake-holders, including the Western Riverside County Agricultural Coalition (WRCAC), the Lake Elsinore San Jacinto Watershed Authority (LESJWA), -a joint-powers authority that includes the Cities of Canyon Lake and Lake Elsinore, Riverside County Flood Control and Water Conservation District, the County of Riverside, and the Santa Ana Watershed Project Authority.

During the last few months, Regional Board staff have met with other potential stake-holders and related agencies, including the Riverside County Farm Bureau and Riverside County Agricultural Commissioner's offices. Regional Board staff is coordinating with representatives of WRCAC and LESJWA and the Southern California Coastal Water Research Project (SCCWRP) to explore establishing a CWAD monitoring group program for the San Jacinto River watershed that uses both probabilistic and targeted monitoring. Also, in coordination with the San Diego Water Board, SCCWRP and State Board, the Santa Ana Water Board staff are exploring ways to integrate monitoring programs for both the San Diego Water Board ILRP and the Santa Ana Water Board CWAD program into the regional water quality monitoring program for Southern California coastal watersheds that is being developed and implemented by the Stormwater Monitoring Coalition (SMC).

During summer of 2009, Regional Board staff conducted field surveys of various agricultural operations in the CWAD Program project area and also have been meeting with local growers and farmers to introduce upcoming CWAD program and to get their feedback. Regional Board staff is also coordinating with TMDL staff and staff of other regions, particularly the Los Angeles and San Diego Water Board, to establish criteria for the minimum acreage threshold for enrollment in its CWAD program.

The Regional Board staff conducted a stakeholder meeting that addressed the following issues:

- CWAD program introduction and status;
- Are all farming operations going to be covered, or are there exemptions from the program?
- Criteria to establish minimum acreage enrollment requirement for the program.
- Have “third party representatives” been formed? Will there be a cost to be represented?
- How the Regional Board identified operators who will be required are supposed to be in the CWAD program?
- What’s the schedule for putting the CWAD program in place?

At the end of Regional Board’s presentation, there was a question and answer session in which several program related questions and concerns by the representatives of growers and agricultural groups, were discussed. Although, the meeting attendance was light, new agricultural growers and farmers attended and actively participated in the discussions during this meeting.

Regional Board staff developed a “CWAD Program Advisory Group” which consists of about 13 members belonging to agricultural farmers, local growers, industry groups, and major stake-holders, etc.

On September 29, 2010, second CWAD Advisory Group meeting was held in Nuevo Water District’s meeting room (meeting’s agenda, attached) to introduce and discuss current status of the CWAD program. Discussions were expanded in order to get feed back from group members, regarding regulatory and enforcement options. Other options discussed were various permitting options, such as, Waste Discharge Requirements (WDRs), General Permitting, Basin Plan Prohibitions, and conditional Ag. Waivers. In this meeting, the Regional Board staff solicited feedback form the group members on the presented items. Regional Board staff also discussed the CWAD program’s proposed draft conditions, and solicited comments and input form group members. Group members gave the impression that they would favor the conditional waiver option and provided several recommendations and suggestions that were positive feedback.

Topic’s of discussion and feed back from the group members included Sate Board’s 2009-2010 Fee Schedule (Section 2200.6-Annual Waiver Fee Schedules). Some of the group members had some questions and wanted clarification, which staff addressed. Group members also raised the issue of “wet season” vs. “the flooding time” in San Jacinto watershed area. Regional board will explore this topic with Riverside County Flood Control District and will follow up with the group in future meeting.

Regional Board CWAD program staff has been working on the comments and the feedback received from CWAD advisory group on draft Ag. Waiver conditions, definition of agricultural operations, and agricultural discharges, CWAD program coalition group’s formation, and pro/cons of different regulatory options available for implementation of CWAD program.

A member of the Western Riverside County Ag. Coalition (WRCAC), gave a presentation on their Ag. Program’s “coalition forming”. Further discussion and feedback from the group on this topic will be continued at the next meeting.

The next Advisory Group meeting is to be held on January 20, 2011, at Riverside County Farm Bureau's office. The agenda topics include discussion on follow up and feedback from regional board staff and group members on action items regarding fee program, different available regulatory options, like conditional waiver, waste discharge requirements, and basin plan prohibitions, etc. Board staff will solicit advisory group's general consensus on choosing conditional waiver options. The following listed action items and proposed topics for the next meeting were decided by the group at this meeting:

- Watershed's specific non-irrigated winter cropping practices-by Don Domenigoni-Riverside County Ag. Commissioner
- Proposed Ag. operation categories in CWAD program-by Regional Board staff
- Coalition Forming-fee, and monitoring-by WRCAC staff
- Recycled water use in the project watershed and Boron issue-by Eastern Municipal Water District (?)
- Wet season and flooding season clarification-by Riverside County Flood Control staff

***For more information, please contact:***

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Mark Adelson 951 782-3234 [madelson@waterboards.ca.gov](mailto:madelson@waterboards.ca.gov)

**IRRIGATED LANDS PROGRAM BI-MONTHLY REPORT FOR THE SAN DIEGO  
REGION  
October 20, 2010**

Conditional Waiver No. 4 (the Ag Waiver) requires growers who use irrigation to produce commercial crops to enroll in the waiver by December 31, 2010. There are currently three monitoring groups in the San Diego Region, all of which will close their enrollment periods by October 31st, 2010. They need to close enrollment well in advance of the enrollment deadline because they have to organize the data provided by applicants including maintaining a BMP database and producing GIS maps which identify the locations of growers.

In September, Regional Board staff met with the monitoring groups and with the Southern California Coastal Water Research Project (SCCWRP) to discuss the design of a collaborative regional monitoring plan which will answer important questions pertaining to agricultural impacts to waters of the State. Questions we propose to answer include:

- 1) What are the conditions of streams in Southern California?
- 2) What are the major stressors to aquatic life?
- 3) Are conditions in locations of special interest getting better or worse?
- 4) Where are improvements in BMPs needed?

A key goal of the monitoring approach is to link the program to other existing monitoring programs in order to leverage the resources of these other programs and thereby make the monitoring effort more cost-effective. A proposal for all of the groups to hire SCCWRP to design basic elements of the monitoring plan was rejected. However, two of the groups wished to continue discussions with SCCWRP to see if elements of the

SCCWRP proposal could be used on a smaller scale. Also, it was determined that all of the groups along with the Regional Board would evaluate the feasibility of aligning ag waiver monitoring with the Southern California Stormwater Monitoring Coalition's monitoring program. The Southern California Stormwater Monitoring Coalition consists of municipalities that are conducting routine surface water monitoring to meet municipal permit requirements. On November 9th, the Regional Board and the monitoring groups will meet once again to discuss this issue as well as the overall design of the monitoring plan.